

**Amendments to the Drawings:**

None

## REMARKS/ARGUMENTS

Claim 1 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite; claims 1-3, 9, 10, and 12 stand rejected under 35 U.S.C. 102(e) as being anticipated by Dawson; and claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Dawson in view of Wang.

Claim 1 has been amended to overcome the rejection under 35 U.S.C. 112, second paragraph. Claim 1 has been amended to include a first single sidewall structure and a second single sidewall structure which is different from the first single sidewall structure and the initial sidewall structure.

In forming the rejection of the claims 1-3, 9, 10 and 12 over the Dawson patent the examiner argues that , “[A]lthough Dawson teaches the width of the sidewall 144 is less than the width of sidewall 146, it can be interpreted as similar width as long as the width difference is substantially small since the ‘similar width’, which does not refer ‘identical width’, does not set forth the metes and bounds. The examiner is incorrect in the attempt to reinter[prit the Dawson patent. In col. 6, lines 61 -67, the Dawson patent highlights the importance of the different widths of structures 144 and 146. Specifically in line 61, it states, “[O]f importance, spacers 146 are wider (emphasis added) than spacers 144.” The Dawson patent further states in line 65-67, “[F]or illustration purposes, spacers 146 have a width of about 800 angstroms, and spacers 144 have a width of about 500 angstroms.” Therefore the width of spacers 146 is about 66% larger than the width of spacers 144. This is clearly different and in no sensible way can a 66% difference be described as “similar width” as the examiner is attempting to do. The examiners argument with regard to the Dawson patent being prior art to claims 1-3, 9, 10 and 12 is clearly invalid and claims 1-3, 9, 10 and 12 are allowable over the Dawson patent under 35 U.S.C. 102(e). Claim 11 depends on claim 9 and contains all the limitations of claim 9. Claim 11 is therefore also allowable over the Dawson patent either singly or in combination with the Wang et al. patent.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicants petition for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,



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